

Senate Bill 439

By: Senators Smith of the 52nd and Unterman of the 45th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

To amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to provide for gender neutrality with regard to the offense of incest; to provide for related matters; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, is amended in Code Section 16-6-22, relating to incest, by revising subsection (a) as follows:

"(a) A person commits the offense of incest when ~~the~~ such person engages in sexual intercourse or sodomy, as such term is defined in Code Section 16-6-2, with a person ~~to~~ whom he or she knows he or she is related to either by blood or by marriage as follows:

(1) Father and ~~daughter or stepdaughter~~ child or stepchild;

(2) Mother and ~~son or stepson~~ child or stepchild;

(3) Sibling ~~Brother and sister~~ of the whole blood or of the half blood and sibling of the whole blood or of the half blood;

(4) Grandparent and grandchild;

(5) Aunt and niece or nephew; or

(6) Uncle and niece or nephew."

**SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.